

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:
REFCO, INC. et al.

Debtors.

JOSEPH MURPHY, WILLIAM M. SEXTON,
DENNIS A. KLEJNA, GERALD SHERER,
PHILIP SILVERMAN, RICHARD N.
OUTRIDGE, TONE GRANT, LEO R.
BREITMAN, NATHAN GANTCHER,
DAVID V. HARKINS, SCOTT L. JAECKEL,
THOMAS H. LEE, RONALD O'KELLEY,
and SCOTT A. SCHOEN,

Plaintiffs,

v.

ALLIED WORLD ASSURANCE COMPANY
(U.S.), INC. and ARCH INSURANCE
COMPANY,

Defendants.

JOHN D. AGOGLIA, EDWIN L. COX,
SUKHMEET DHILLON, THOMAS H.
DITTMER, STEPHEN GRADY, THOMAS
HACKL, ERIC G. LIPOFF, PETER
MCCARTHY and FRANK MUTTERER,

Nominal Defendants.

Chapter 11
Case No. 05-60006 (RDD)
(Jointly Administered)

Adv. Proc. No. 08-01133 (RDD)

**NOTICE OF MOTION TO WITHDRAW
THE REFERENCE TO THE BANKRUPTCY COURT**

PLEASE TAKE NOTICE that, upon the annexed Memorandum, the Declaration of John H. Eickemeyer and the exhibits annexed thereto, and all of the papers and proceedings heretofore had herein, defendant Arch Insurance Company ("Arch"), by its attorneys, Vedder Price P.C., will move in the United States District Court for the Southern District of New York, at Daniel P.

Moynihan United States Courthouse, 500 Pearl Street, New York, New York, before a judge to be assigned, on May 22, 2008, at 9:30 a.m., or as soon thereafter as counsel may be heard, for the entry of an Order, pursuant to 28 U.S.C. § 157(d), Federal Rule of Bankruptcy Procedure 5011(a), and Local Bankruptcy Rule 5011-01, for cause shown, withdrawing the reference to the United State Bankruptcy Court for the Southern District of New York of the causes of action asserted against Arch in the above-captioned adversary proceeding filed by certain former directors and officers of Refco, Inc. and/or its subsidiaries, for the reasons more fully set forth in the Memorandum, together with such other relief as the Court may deem just and proper.

PLEASE TAKE FURTHER NOTICE THAT, pursuant to Local Civil Rule 6.1(b), answering papers, if any, shall be served upon the undersigned no later than ten business days after service of this Notice of Motion.

Date: April 29, 2008

Respectfully submitted,

By: /s/ John H. Eickemeyer
John H. Eickemeyer (JE-8302)
Daniel C. Green (DG-0059)
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CERTIFICATE OF SERVICE

1. I, John H. Eickemeyer, hereby declare, pursuant to 28 U.S.C. 1746, under penalty of perjury, as follows:

2. On April 29, 2008, I caused a copy of the **NOTICE OF MOTION TO WITHDRAW THE REFERENCE TO THE BANKRUPTCY COURT** to be served upon all parties who have made appearances in the above-captioned action by electronically filing same, thereby ensuring that counsel to each such party, received same, as registered e-filers who are registered to receive e-notices in this case;

3. On April 29, 2008, I caused copies of the **NOTICE OF MOTION TO WITHDRAW THE REFERENCE TO THE BANKRUPTCY COURT** to be served upon all parties who have not yet made appearances in the above-captioned case by dispatching true copies of same into the custody of a courier service for overnight delivery, prior to the latest time designated by that service for such delivery, addressed as follows:

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DATED: April 29, 2008

/s/ John H. Eickemeyer
John H. Eickemeyer